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PATENT

Customer Number 22,852

Attorney Docket No. 07965.0004-00

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

James B. GODDARD et al.

Serial No.: 10/037,219

Filed: November 9, 2001

For: PIPE HAVING WATER-TIGHT  
IN-LINE BELL)  
)  
)  
) Group Art Unit: 3627  
)  
) Examiner: G. Collins  
)  
)  
)Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

DECLARATION OF JAMES B. GODDARD UNDER 37 C.F.R. § 1.131

1. I, James B. Goddard, am one of the named Applicants of the above-identified application. I also am one of the co-inventors of the subject matter described and claimed therein, and I executed and filed a Declaration to that effect on November 9, 2001.

2. The facts set out in the paragraphs below describe the timing of the conception and reduction to practice of the invention described and claimed in the above-identified application, which were prior to the April 30, 2001, publication date (hereinafter "Publication Date") of Mexican Patent Application No. MX 9907382. The events described in these paragraphs occurred in the United States.

3. Prior to the Publication Date, a New Product Meeting Minutes (Exhibit A), references "[r]einforced or wrapped joints for watertightness (IB)." In a subsequent Memorandum (Exhibit B), itself having a date prior to the Publication Date, in Section V, I refer to the concept of wrapping the water-tight inline bell being presented to the New Products Committee almost 2 years prior.

4. In three separate New Product Meeting Minutes (Exhibits C, D, and E) for meetings that occurred prior to the Publication Date, there is reference to co-inventor Bill Shaffer's investigation of the concept of a watertight inline bell, or "WT-IB," which would have included consideration of a reinforcing band.

5. Prior to the Publication Date, Bill Shaffer sent a memo to Tom King of ADS (Exhibit F), suggesting the use of a post-forming reinforcing ring on the outer

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diameter of the bell. He suggested that the ring be made of extruded ribbon, a fiberglass band, a mechanical fastener, or a welded ring.

6. In a memo to me, James B. Goddard, dated prior to the Publication Date (Exhibit G), Bill Shaffer suggested adding a post-forming reinforcing ring of fiberglass as a method of achieving watertight joint performance.

7. Also prior to the Publication Date, I sent a memo to Bill Shaffer (Exhibit H) with suggestions regarding materials for the reinforcing ring for achieving watertight joint performance. I suggested various forms of fiberglass, polypropylene, polyester, or nylon. I also suggested that carbon fiber and Kevlar were good material but cost prohibitive, and identified steel wire as incompatible with the polypropylene composition of our corrugated pipe.

8. Prior to the Publication Date, ADS had submitted a purchase order to ADC Acquisitions for initial trials of a machine that could manufacture a product as set forth in the specification of this application, as well as for the actual purchase of such a machine.

9. William V. Shaffer and I, the co-inventors of the subject matter described and claimed in this patent application, conceived of the invention as disclosed and claimed in this application, prior to the publication of Mexican Patent Application No. MX 9907382.

10. In each of the attached Exhibits, the applicable dates have been redacted for confidentiality reasons.

11. I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that the statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patents issuing thereon.

Dated: April 2, 2003

By:   
James B. Goddard

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